

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
06/304,988	09/23/81	NAKAO	H 81597

FRISHAUF, HOLTZ, GOODMAN & WOODWARD  
261 MADISON AVENUE  
NEW YORK, NY 10016

EXAMINER	
COUGHLAN, F	
ART UNIT	PAPER NUMBER
122	115

DATE MAILED: 06/20/84

**This is a communication from the examiner in charge of your application.**

COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined      ☒ Responsive to communication filed on 12/8/93      ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), ~~days~~ from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part 1 THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

1. ☐ Notice or References Cited by Examiner, PTO-892. 2. ☐ Notice re Patent Drawing, PTO-948.  
3. ☒ Notice of Art Cited by Applicant, PTO-1449 4. ☐ Notice of informal Patent Application, Form PTO-152  
5. ☐ Information on How to Effect Drawing Changes, PTO-1474 6. ☐ \_\_\_\_\_

## Part II SUMMARY OF ACTION

1. ☒ Claims 8-17, 23, 30 + 33-46 are pending in the application.
- Of the above, claims 8-17 are withdrawn from consideration.
2. ☒ Claims 1-7, 18-22, 24-29, 31 + 32 have been cancelled.
3. ☒ Claims 23, 30, 33-37 + 40-44 are allowed.
4. ☒ Claims 38, 39, 45 + 46 are rejected.
5. ☐ Claims \_\_\_\_\_ are objected to.
6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings which are acceptable for examination purposes until such time as allowable subject matter is indicated.
8. ☐ Allowable subject matter having been indicated, formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. These drawings are ☐ acceptable; ☐ not acceptable (see explanation).
10. ☐ The ☐ proposed drawing correction and/or the ☐ proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved. ☐ disapproved (see explanation). However, the Patent and Trademark Office no longer makes drawing changes. It is now applicant's responsibility to ensure that the drawings are corrected. Corrections **MUST** be effected in accordance with the instructions set forth on the attached letter "INFORMATION ON HOW EFFECT DRAWING CHANGES", PTO-1474.
12. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other \_\_\_\_\_

Serial No. 304,988

-2-

Art Unit 122

Claims 38, 39, 45 and 46 are rejected under 35 U.S.C. 112, fourth paragraph, as being of improper dependent form for failing to further limit the subject matter of a previous claim. It is noted that the syn isomer form is specified in the formula of claims 33 and 40.

Applicant's amendment necessitated the new grounds of rejection. Accordingly, THIS ACTION IS MADE FINAL. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). The practice of automatically extending the shortened statutory period an additional month upon the filing of a timely response to a final rejection has been discontinued by the Office. See 1021 TMOG 35.

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CFR 1.136(a) WILL

202

Serial No. 304,988

-3-

Art Unit 122

BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY  
ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR  
RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF  
THIS FINAL ACTION.

Coughlan/k1

703/557-3920

4-18-84

*Paul M. Coughlan Jr.*  
PAUL M. COUGHLAN, JR.  
PRIMARY EXAMINER  
ART UNIT 122

203